



Environmental and Public Protection Cabinet
Department for Environmental Protection
Division of Water
14 Reilly Road
Frankfort, Kentucky

Kentucky Pollutant Discharge Elimination System

Public Notice No. 2004-26

Date of Notice: October 22, 2004

Comments Due By: November 22, 2004

The Kentucky Department for Environmental Protection, Division of Water proposes to issue, modify or terminate Kentucky Pollutant Discharge Elimination System (KPDES) permits for the treated wastewater discharges listed below.

KPDES PERMIT ISSUANCES

1. **ALLIED RESOURCES – ONTON MINE, INCORPORATED**, KY Route 370, Sebree, Kentucky. KPDES No. KY0105660. This permit action involves a new source discharge of process water from coal washing activities and drainage from associated areas from a coal preparation plant that enters an unnamed tributary to the Green River in Webster County. Permit Writer: Larry Sowder.
2. **NALLY AND HAMILTON ENTERPRISES, INCORPORATED**, 1.5 miles northeast of the intersection of Routes 160 and 15, Sassafras, Kentucky. KPDES No. KY0105651. This permit action involves a new source discharge of process water from coal washing activities and drainage from associated areas from a coal preparation plant that enters an unnamed tributary to Breeding Creek, an unnamed tributary to Breeding Branch and Dead Mare Branch in Knott County. Permit Writer: Larry Sowder.

KPDES PERMIT REISSUANCES

1. **CUMBERLAND RIVER COAL COMPANY**, U.S. 119, Ovenfork, Kentucky. KPDES No. KY0003727. This permit action involves a new source discharge of process water from coal washing activities and drainage from associated areas from a coal preparation plant that enters Joe Day Branch, Franks Creek, Poor Fork of the Cumberland River, Trace Fork, Brown Branch and Meadow Branch in Letcher County. Permit Writer: Larry Sowder.
2. **EMLYN COAL PROCESSING INCORPORATED**, 4184 U.S. 25 West South, Williamsburg, Kentucky. KPDES No. KY0071471. This permit action involves an existing source discharge of process water from coal washing activities and drainage from associated areas from a coal preparation plant that enters Clear Fork in Whitley County. Permit Writer: Lori Veal.
3. **HARLAN CUMBERLAND COAL COMPANY, LLC**, Route 1 Box 374, Evarts, Kentucky. KPDES No. KY0021539. This permit action involves an existing source discharge of process water from coal washing activities and drainage from associated areas from a coal preparation plant that enters Seagraves Creek in Harlan County. Permit Writer: Larry Sowder.
4. **PARIS WASTEWATER TREATMENT PLANT** (City of Paris), 6500 Bypass Road, Paris, Kentucky. KPDES No. KY0090654. This permit action involves an existing discharge of sanitary wastewater from a wastewater treatment and collection plant (SIC Code 2213) that enters Stoner Creek at mile point 14.5 in Bourbon County. Permit Writer: Robert S. Clay, Jr.
5. **WEBSTER COUNTY COAL, LLC – DOTIKI MINE**, 0.1 mile south of the intersection of Route 502 and Old Morganfield Road, Nebo, Kentucky. KPDES No. KY0023205. This permit action involves an existing source discharge of process water from coal washing activities, drainage from associated areas and sanitary wastewater from a coal preparation plant that enters Fredericks Ditch, Slogers Creek, Weirs Creek and an unnamed tributary to Rose Creek in Webster County. Permit Writer: Larry Sowder.

Commonwealth of Kentucky Antidegradation Statement

Antidegradation determinations have been made in regard to the permits referenced in this Public Notice. Any information concerning the foundation of the Division's position as to these determinations is addressed in the permits' Statement of Basis or Fact Sheets and all supporting documentation is available in the permit files maintained at the Division central office in Frankfort, Kentucky. Kentucky's antidegradation policy is found in Regulation 401 KAR 5:029, Section 1. Antidegradation policy implementation methodology is defined in Regulation 401 KAR 5:030. The primary purposes of these regulations is to safeguard the surface waters of the Commonwealth for their designated uses, to prevent the creation of any new pollution of these waters, and to abate any existing pollution.

GENERAL INFORMATION

The KPDES program issues permits for all treatment facilities which discharge, or propose to discharge, to waters of the Commonwealth which are classified for domestic water supply, for fish and aquatic life, and for recreation. Proposed KPDES permits are written to protect the classified uses of receiving waters and contain limitations on the amounts of pollutants to be discharged and other conditions. The proposed permits are drafted in accordance with applicable provisions of the Kentucky Revised Statutes and appropriate regulations. The permit conditions are tentative and open to comment from the public. Persons wishing to comment upon or object to the proposed action (permit issuance, modification or termination) or the proposed permit conditions are invited to submit comments to the Division at the following address: **Department for Environmental Protection, Division of Water, KPDES Branch, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601, Attention: Inventory & Data Management Section.** The comments must be received by the comment due date stated at the beginning of this notice. The applicant's name and KPDES number should be included in the comments.

Interested persons may also request that the Director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why a hearing is warranted. When there is public interest, the Director will hold a public hearing pursuant to 401 KAR 5:075, Section 7. After consideration of comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State Acts and appropriate regulations, the Director of the Division will make a determination regarding final permit action.

Permit applications, draft permits, fact sheets or statements of basis, and additional information are available by contacting the Division of Water. Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays. A copy machine is available for public use at 10 cents per page. Three (3) days advance notice may be required for inspection of files. **Please bring the preceding to the attention of persons whom you know will be interested.**

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